

**f. Subloops.**

Verizon also provides access to subloops in the same way as it does in Massachusetts, see id. ¶ 204, where the Commission found that “Verizon provides nondiscriminatory access to subloops consistent with the requirements of section 271 and the UNE Remand Order,” Massachusetts Order ¶ 154.<sup>37</sup> The subloop elements that Verizon provides include access to house-and-riser cable, and to remote terminals either through collocation (where space is available) or by establishing a connection between Verizon’s remote terminal and a CLEC’s adjacent facilities. See Lacouture/Ruesterholz Decl. ¶¶ 205-206. As in Massachusetts, “Verizon allows requesting carrier[s] to obtain access to subloop facilities regardless of the transmission medium,” and to “gain access to subloops at technically feasible points of interconnection other than the FDI [feeder distribution interface].” Massachusetts Order ¶ 155; see Lacouture/Ruesterholz Decl. ¶ 208.

**g. Network Interface Devices.**

Verizon provides CLECs with access to Network Interface Devices (“NIDs”), either as part of an unbundled loop or on a stand-alone basis to CLECs that deploy their own loop facilities. See Lacouture/Ruesterholz Decl. ¶ 209; UNE Remand Order ¶¶ 233-235. Verizon provides access to NIDs in the same manner as in Massachusetts, see Lacouture/Ruesterholz Decl. ¶ 209, where the Commission found that Verizon satisfies the checklist, see Massachusetts Order ¶ 124. Verizon permits competing carriers that deploy their own loop facilities to connect their loops directly to Verizon’s NIDs, or to connect indirectly through their own adjacent NIDs. See Lacouture/Ruesterholz Decl. ¶¶ 209-210. No CLEC has requested access to Verizon’s NIDs on a stand-alone basis in Rhode Island. See id. ¶ 210.

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<sup>37</sup> Verizon provides access to subloops both through interconnection agreements and through its generally available tariff. See Lacouture/Ruesterholz Decl. ¶ 204.

## 2. Unbundled Switching.

Verizon provides unbundled local and tandem switching using the same processes and procedures as in Massachusetts, see id. ¶ 211, which the Commission found satisfy the checklist, see Massachusetts Order ¶ 222.<sup>38</sup>

Through September 2001, Verizon has provided approximately 4,000 unbundled local switching elements in Rhode Island as part of network element platforms. See Lacouture/Ruesterholz Decl. ¶ 212. Verizon also has provided unbundled tandem switching in connection with each of these platform orders. See id. As with unbundled loops and transport, moreover, Verizon consistently provides unbundled switching on time. From July through September 2001, Verizon provided more than 99 percent of local switching elements in Rhode Island and Massachusetts by the due date. See id. ¶ 222. Moreover, during this same period, the platforms that Verizon installed for CLECs in Rhode Island and Massachusetts experienced fewer installation-related troubles than the retail comparison group. See id. ¶¶ 226-227.

As in Massachusetts, Verizon also provides customized routing (using line-class codes) so that CLECs can route directory assistance and operator services traffic to their own platforms, to a third-party platform, or to Verizon's platform. See id. ¶ 213. As in Massachusetts, Verizon offers a standardized local switching configuration that gives CLECs the same local call routing as Verizon itself, but with the option of branding their directory-assistance and operator-services traffic as they choose. See id. ¶ 214. Finally, as in Massachusetts, Verizon is capturing and providing usage data to CLECs that enable them to bill for exchange access. See id. ¶ 217.

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<sup>38</sup> Verizon makes unbundled switching available pursuant to legally binding interconnection agreements and tariffs. See Lacouture/Ruesterholz Decl. ¶ 211. Unbundled local switching is available as a line side or a trunk side port (shared and dedicated) and includes the vertical features available to Verizon's retail customers on a line-by-line basis. See id. In addition, Verizon provides CLECs with access to other features resident in its switches that Verizon does not offer its retail customers. See id.

### 3. Unbundled Local Transport (Including Interoffice Facilities).

Verizon provides unbundled dedicated and shared transport using the same processes and procedures that it uses in Massachusetts. See id. ¶ 236. The Commission found that, in Massachusetts, Verizon “provides both shared and dedicated transport in compliance with the requirements” of the Act. Massachusetts Order ¶ 208.<sup>39</sup> The same conclusion therefore applies here.

Through September 2001, Verizon has provided shared transport on each of the approximately 4,000 platforms it has provided. See Lacouture/Ruesterholz Decl. ¶ 246. Moreover, because shared transport is provided as part of network element platforms, it has been delivered at the same time as the accompanying loops and unbundled switching. As discussed above, Verizon provides platforms on time more than 99 percent of the time in Rhode Island and Massachusetts, and the same is true of unbundled shared transport. See id. ¶ 222.

Verizon also has provided dedicated local transport facilities to competing carriers in Rhode Island; however, the volume of such orders has been very small. See id. ¶ 238. From July through September, Verizon received fewer than 10 orders for unbundled dedicated transport each month. See id. ¶ 239. Verizon did not miss any of its appointments for installing CLECs’ dedicated transport in July, missed only one appointment in August, and missed only two appointments in September. See id.<sup>40</sup> Moreover, Verizon’s performance in Massachusetts,

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<sup>39</sup> Verizon provides shared and dedicated transport under interconnection agreements and its generally available tariff. See Lacouture/Ruesterholz Decl. ¶ 236. This includes shared transport between Verizon’s end office switches, between end office and tandem switches, and between tandem switches. See id. ¶ 237.

<sup>40</sup> Because the volumes here are small, Verizon’s reported performance data do not provide an accurate picture of Verizon’s performance and are “not as reliable an indicator of checklist compliance.” Kansas/Oklahoma Order ¶ 36; see also Massachusetts Order ¶ 93 n.296 (a handful of observations “can cause seemingly large variations” in the monthly performance measures).

where volume have been significantly greater, also has been strong. From July through September, Verizon met more than 98 percent of its installation appointments for CLECs' unbundled dedicated transport orders in Massachusetts. See Lacouture/Ruesterholz Decl. ¶ 240.

#### **4. Dark Fiber.**

Verizon provides “dark fiber” — that is, fiber that has not been activated through the connection of the electronics used to carry communications services — in Rhode Island. See id. ¶ 248; UNE Remand Order ¶ 165.<sup>41</sup> As of September 2001, Verizon had received 54 dark fiber orders from CLECs in Rhode Island, and Verizon provisioned on time 97 percent of those orders that were not cancelled by the CLEC. See Lacouture/Ruesterholz Decl. ¶ 256. Verizon's current dark fiber offering in Rhode Island, as well as the processes and procedures used to provide dark fiber, are substantially the same as those used in Pennsylvania and Connecticut, which the Commission found satisfy the Act. See Connecticut Order ¶¶ 49-54;<sup>42</sup> Pennsylvania Order ¶¶ 109-113.<sup>43</sup>

#### **5. Combining Unbundled Network Elements.**

As in Massachusetts, Verizon provides both existing combinations of network elements and access to unbundled elements that allows competing carriers to assemble combinations of elements themselves. See Lacouture/Ruesterholz Decl. ¶ 258.

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<sup>41</sup> Under the terms of its interconnection agreements, Verizon provides both dark fiber interoffice facilities and dark fiber loops, where spare facilities are available. See Lacouture/Ruesterholz Decl. ¶¶ 251-252.

<sup>42</sup> Application of Verizon New York Inc., et al., for Authorization to Provide In-Region, InterLATA Services in Connecticut, Memorandum Opinion and Order, 16 FCC Rcd 14147 (2001) (“Connecticut Order”).

<sup>43</sup> At the urging of one CLEC (CTC), on November 15, 2001, the Rhode Island PUC ordered Verizon to adopt certain aspects of the dark fiber offerings that Verizon makes available in Massachusetts and New Hampshire. See Lacouture/Ruesterholz Decl. ¶¶ 250, 257. These new requirements go beyond what the Commission has required in the UNE Remand Order and in prior section 271 decisions. See id. ¶ 257.

*First*, Verizon provides the same preassembled combinations of elements that it provides in Massachusetts, see id., where the Commission found that Verizon satisfies the checklist, see Massachusetts Order ¶¶ 117-118. As noted above, Verizon has provided competing carriers in Rhode Island with approximately 4,000 complete, preassembled platforms of network elements through September of this year. See Lacouture/Ruesterholz Decl. ¶ 263. Verizon also provides a “switch sub-platform” (local switching in combination with other shared network elements such as shared transport, shared tandem switching, and SS7 signaling), although no competitor has yet requested this combination. See id. ¶ 264. Moreover, Verizon provides loop and transport combinations in accordance with the Commission’s rules. See id. ¶ 265; Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, Supplemental Order, 15 FCC Rcd 1760 (1999); Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, Supplemental Order Clarification, 15 FCC Rcd 9587 (2000).<sup>44</sup> In addition, KPMG has certified that Verizon’s systems are fully capable of providing loop and transport combinations on a timely basis. See KPMG MA Report at 417 (TVV-4-7).

*Second*, Verizon offers CLECs in Rhode Island the same methods of access to combine unbundled network elements as in Massachusetts, see Lacouture/Ruesterholz Decl. ¶ 258, where the Commission found that Verizon satisfies the checklist, see Massachusetts Order ¶¶ 117-119. For example, Verizon offers competing carriers a variety of forms of access that permit them to combine network elements, including physical, virtual, and various forms of cageless collocation. See Lacouture/Ruesterholz Decl. ¶¶ 258-260.

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<sup>44</sup> Verizon has provided 11 loop and transport combinations to competing carriers in Rhode Island. See Lacouture/Ruesterholz Decl. ¶ 266. From July through September, however, Verizon did not provide any loop and transport combinations to CLECs in Rhode Island. See id. ¶ 267. In Massachusetts, Verizon did not begin reporting data on its provision of loop and transport combinations until September 2001, and, while volumes were small during that month, Verizon’s performance was at parity. See id.

**C. Poles, Ducts, Conduits, and Rights-of-Way (Checklist Item 3).**

Verizon provides nondiscriminatory access to poles, ducts, conduits, and rights-of-way that it owns or controls in Rhode Island. Through September 2001, Verizon has provided more than 218,000 pole attachments and more than 327,000 feet of conduit in Rhode Island. See id. ¶¶ 268-269.

Verizon provides access to poles, ducts, and conduits on a timely basis. For example, Verizon is committed to completing field surveys and responding to pole and conduit requests within 45 days, and did so 100 percent of the time from July through September. See id. ¶ 277. During this same time, Verizon was able to satisfy a competing carrier's request for poles and conduits without make-ready work at least 83 percent of the time. See id. ¶ 279. In such cases, Verizon provides access immediately upon issuance of a license. See id. In other cases, make-ready or construction work may be needed. From July through September, Verizon completed the make-ready work for CLECs' pole attachments and conduit occupancy in Rhode Island more quickly than it performed such work for itself (after adjusting for two delays that were beyond Verizon's control). See id. ¶ 284. Verizon's make-ready performance in Massachusetts, where volumes are higher, also continues to be strong. See id. ¶ 288.

**D. 911, E911, Directory Assistance, and Operator Call-Completion Services (Checklist Item 7).**

911 and E911. Verizon provides competing carriers in Rhode Island with nondiscriminatory access to E911 services and databases under tariffs and approved interconnection agreements using the same checklist-compliant processes and procedures that it uses in Massachusetts. See id. ¶ 292; Massachusetts Order ¶ 222. Through September 2001, CLECs with their own switches have obtained approximately 90,000 E911 subscriber listings in Rhode Island. See Lacouture/Ruesterholz Decl. ¶ 306.

CLECs that have their own switches make their own entries in the E911 database using an electronic interface that gives them the same ability as Verizon to input information. See id. ¶ 303. In addition, through September 2001, Verizon has provided more than 65 E911 trunks to 11 CLECs in order to establish connections to Verizon's E911 tandems. See id. ¶ 297. Verizon provides competing carriers with E911 trunks on a timely basis, within the same standard intervals as for interconnection trunks generally. See id. ¶¶ 23, 296.

Moreover, for a competing carrier without its own switch, Verizon will enter all the necessary E911 data for that carrier's customers in exactly the same way that Verizon enters its own customer data. See id. ¶ 300. Verizon also commingles CLECs' E911 database entries with Verizon's own entries to ensure that they are maintained with the same accuracy and reliability that Verizon maintains for its own retail customers. See id.

Directory Assistance. Verizon provides directory assistance services in Rhode Island in the same way that it does in Massachusetts, see id. ¶ 307, which the Commission found satisfies the checklist, see Massachusetts Order ¶ 222. Competing carriers have the option of purchasing directory assistance directly from Verizon, or they can rely on their own directory assistance centers and use Verizon's or a third party's directory assistance database. See Lacouture/Ruesterholz Decl. ¶ 308.<sup>45</sup>

Through September 2001, five carriers were purchasing directory assistance services from Verizon using approximately 100 dedicated OS/DA trunks, and another 42 competing carriers were purchasing directory assistance service using shared transport. See id. ¶ 309.

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<sup>45</sup> For CLECs that establish their own directory assistance centers, Verizon provides nondiscriminatory access to its directory assistance listings. See Lacouture/Ruesterholz Decl. ¶ 313. Verizon allows CLECs to use Direct Access to Directory Assistance, a database service that provides read-only access to Verizon's directory assistance listings. See id. Verizon also makes the contents of its directory assistance database available to CLECs in an electronic format for their use in providing local directory assistance services. See id. ¶ 314.

Verizon provides trunks to competing carriers for directory assistance in the same manner it provides interconnection trunks generally. See id. Moreover, when CLECs purchase Verizon's directory assistance services, they have their choice of branding options,<sup>46</sup> and calls from CLEC customers are handled in a nondiscriminatory fashion and answered as quickly as calls from Verizon's own customers. See Lacouture/Ruesterholz Decl. ¶ 316.

Operator Services. Verizon likewise provides access to its operator services in Rhode Island using the same processes and procedures that it uses in Massachusetts, see id. ¶ 317, where the Commission found that Verizon satisfies the checklist, see Massachusetts Order ¶ 222. Competing carriers again have the option either to purchase operator services from Verizon or to rely on their own centers. See Lacouture/Ruesterholz Decl. ¶ 318.

As of September 2001, five facilities-based CLECs were purchasing operator services from Verizon using approximately 100 dedicated OS/DA trunks. See id. ¶ 320. Another 42 CLECs were purchasing operator services using shared transport. See id. As with directory assistance, Verizon provides trunks to competing carriers that provide their own operator services in the same time and manner and in the same intervals as it provides interconnection trunks generally. See id. Moreover, when CLECs purchase Verizon's operator services, they have their choice of branding options, and Verizon's performance in handling calls from CLEC customers in a timely manner is even better than the standards established in the PUC-approved Carrier-to-Carrier guidelines. See id. ¶¶ 322, 324.

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<sup>46</sup> Verizon permits CLECs that purchase Verizon's directory assistance services to order such services "unbranded," "rebranded," or with a Verizon brand. See Lacouture/Ruesterholz Decl. ¶ 312.

**E. White Pages Directory Listings (Checklist Item 8).**

Verizon provides access to its white pages directory listings in Rhode Island in exactly the same manner as it does in Massachusetts, see id. ¶ 325, where the Commission found that Verizon satisfies the checklist, see Massachusetts Order ¶ 222.

Competing carriers in Rhode Island use Verizon's white pages directory listings extensively: through September 2001, Verizon had provided competing carriers in Rhode Island with more than 64,000 basic white pages directory listings, including approximately 45,000 for residential customers. See Lacouture/Ruesterholz Decl. ¶ 335.<sup>47</sup> Moreover, Verizon has procedures in place to ensure that the directory listings of CLEC customers are included in Verizon's database on an accurate, reliable, and nondiscriminatory basis. See id. ¶¶ 336-341.<sup>48</sup> In fact, Verizon provides CLECs with several means of verifying their customers' listings prior to publication. See id. ¶¶ 337-338. These include a listings verification report that Verizon provides 90 days prior to the service order close date, see id. ¶ 337; the ability to review published listings in real time through a Web-GUI, see id. ¶ 338; and an electronic confirmation of the information entered on a CLEC's listing service request, see id.

Finally, Verizon ensures that listings are not inadvertently dropped when a customer switches to a competing carrier. See id. ¶¶ 340-341. For a customer that switches from Verizon to a competing carrier's resale service or UNE-platform service, Verizon does not first disconnect that customer's Verizon service and, therefore, does not even distribute that order to the systems that are used to modify or delete directory listings. See id. ¶ 340. For a customer

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<sup>47</sup> Verizon provides white pages directory listings under interconnection agreements and tariffs. See Lacouture/Ruesterholz Decl. ¶ 326.

<sup>48</sup> For example, Verizon commingles the listings of CLECs' customers alphabetically with Verizon's own customers, using the same type face and format and with no distinguishing features. See Lacouture/Ruesterholz Decl. ¶ 327. Verizon enters CLECs' listings using the same procedures as for its own listings. See id. ¶ 328.

that switches to a competing carrier's facilities-based service, Verizon has implemented software modifications to eliminate the deletion of directory listings when that customer's retail service is disconnected and when a hot cut is performed. See id. ¶ 341.

**F. Number Administration (Checklist Item 9).**

Verizon is no longer responsible for assigning telephone numbers either to itself or to competing carriers in Rhode Island: NeuStar has assumed responsibility as the North American Numbering Plan Administrator. See id. ¶ 342. Through September 2001, more than 220 NXX codes have been assigned to CLECs in Rhode Island. See id. Verizon ensures accurate and complete programming of NXX codes in its switches in Rhode Island using the same processes and procedures as in Massachusetts. See id. As in Massachusetts, Verizon installs new NXX codes for CLECs in accordance with the procedures in the Central Office Code Assignment Guidelines. See id. ¶ 344. Verizon also conducts a monthly comparison of the information in its own internal Code Administration System with the information in the Local Exchange Routing Guide to ensure that Verizon's information is accurate. See id. ¶ 345.

**G. Databases and Associated Signaling (Checklist Item 10).**

Verizon provides competing carriers in Rhode Island with access to its databases and signaling using the same nondiscriminatory processes and procedures that it uses in Massachusetts. See id. ¶ 347.<sup>49</sup> No competitor even challenged Verizon's performance on this

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<sup>49</sup> Verizon provides access to signaling and databases under interconnection agreements and tariffs. See Lacouture/Ruesterholz Decl. ¶¶ 348, 351, 354, 357, 362, 366, 369. With respect to signaling, Verizon uses the same facilities, equipment, and personnel to provision signaling links for CLECs and itself. See id. ¶ 353. And all signaling traffic on Verizon's network is queued and routed on a nondiscriminatory basis. See id. With respect to databases, Verizon adds information for CLEC customers to its databases in the same manner as for Verizon's own customers, and CLEC queries to the databases are commingled with Verizon's own queries and processed on a first-come, first-served basis. See id. ¶¶ 356, 360-361, 364-365, 368, 372.

checklist item in Massachusetts, and the Commission found that Verizon satisfies the requirements of the Act. See Massachusetts Order ¶ 222.

Through September 2001, Verizon was providing two CLECs with access to its SS7 signaling network. See Lacouture/Ruesterholz Decl. ¶ 351. Verizon also provides CLECs with access to its Toll Free, Line Information, and Calling Name databases. See id. ¶¶ 355, 359, 363. In the first nine months of this year, Verizon processed more than 90 million queries for its Toll Free database in Rhode Island; more than 15 million queries for its Line Information database in New England; and more than 40 million queries for its Calling Name databases in New England. See id. In addition, one CLEC in Rhode Island has made the necessary arrangements to access Verizon's Local Number Portability database. See id. ¶ 367.

As in Massachusetts, Verizon also provides competing carriers with access to its Service Management System database, which enables competitors to enter, modify, or delete entries in Verizon's call-related databases. See id. ¶ 369. In addition, CLECs may obtain access to Verizon's Service Management System/Service Creation Environment, which enables them to create and test their own Advanced Intelligent Network ("AIN")-based telecommunications services. See id. ¶ 370.

#### **H. Number Portability (Checklist Item 11).**

Verizon has implemented long-term number portability ("LNP") in all of its end offices in Rhode Island. See id. ¶ 374. Verizon uses the same processes and procedures to provide number portability in Rhode Island as it uses in Massachusetts, see id. ¶ 373, where the Commission found that Verizon satisfies the Act, see Massachusetts Order ¶ 222.<sup>50</sup> Through

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<sup>50</sup> Verizon provides LNP under interconnection agreements. See Lacouture/Ruesterholz Decl. ¶ 373. Verizon also continues to maintain interim number portability ("INP") capabilities for CLECs, though it is no longer taking orders for INP. See id. ¶ 374. Where CLECs have existing INP arrangements, Verizon is converting those arrangements to LNP on a mutually

September 2001, Verizon provided 11 CLECs with LNP on approximately 67,000 telephone numbers. See Lacouture/Ruesterholz Decl. ¶ 375. From July through September, Verizon met the due date on more than 99.8 percent of the orders for pure LNP. See id. ¶ 376.

**I. Local Dialing Parity (Checklist Item 12).**

Verizon provides local dialing parity throughout its service area in Rhode Island under tariffs and interconnection agreements. See id. ¶ 380. Once local calls from competing carriers reach Verizon's network, they are treated the same as any call that originates on Verizon's own network. See id. ¶ 378. Accordingly, no differences exist in dialing delays, call completion, or transmission quality between calls made by CLECs' customers and calls made by Verizon's customers. See id. From July through September 2001, Verizon exchanged approximately 2.2 billion minutes of traffic per month over local interconnection trunks on calls that were completed with dialing parity. See id. ¶ 381. In addition, while intraLATA toll dialing parity is not a checklist requirement, Verizon has implemented intraLATA toll dialing parity in Rhode Island pursuant to the Rhode Island PUC's requirements. See id. ¶ 382.

**J. Reciprocal Compensation (Checklist Item 13).**

Verizon is providing reciprocal compensation for transportation and termination of local calls to competing carriers in Rhode Island. See id. ¶ 383. As of September 2001, Verizon was paying reciprocal compensation to some 13 CLECs, six cellular providers, and six paging companies. See id. ¶ 385.<sup>51</sup>

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agreed-upon schedule. See id. Through September 2001, Verizon continues to provide INP on approximately 300 telephone numbers. See id.

<sup>51</sup> The Commission has found that intercarrier compensation for Internet-bound traffic is not subject to 47 U.S.C. § 251(b)(5), which means that compensation for such traffic is not an issue under the checklist. See Implementation of the Local Competition Provisions in the Telecommunications Act of 1996; Intercarrier Compensation for ISP-Bound Traffic, Order on Remand and Report and Order, 16 FCC Rcd 9151 (2001); 47 U.S.C. § 271(c)(2)(B)(xiii); id.

**K. Resale (Checklist Item 14).**

Verizon makes available for resale at wholesale rates established by the Rhode Island PUC all of the telecommunications services that it offers at retail to subscribers that are not telecommunications carriers. See id. ¶ 386.<sup>52</sup> Verizon makes services available for resale in the same manner and using the same processes and procedures as in Massachusetts, see id., where the Commission found that Verizon satisfies the checklist, see Massachusetts Order ¶¶ 217-221. Through September 2001, Verizon has provided approximately 25,000 resold lines in Rhode Island, including approximately 20,000 business lines and approximately 5,000 residential lines. See Lacouture/Ruesterholz Decl. ¶ 388.

Verizon provides services for resale on time, when CLECs request them.<sup>53</sup> From July through September 2001, Verizon met more than 99 percent of its installation appointments for CLECs that did not require the dispatch of a Verizon technician and more than 96 percent of the installation appointments that did require a dispatch. See id. ¶ 403. Moreover, Verizon's performance for CLECs has consistently been equal to or better than Verizon's performance for the retail comparison group. See id. ¶¶ 397-399. Likewise, Verizon's installation quality on resold lines is better than or comparable to the performance that Verizon provides for retail customers. See id. ¶ 404. And on the very small percentage of resold lines that experience

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§ 252(d)(2); Pennsylvania Order ¶ 119; Connecticut Order ¶ 67; Massachusetts Order ¶ 215; Kansas/Oklahoma Order ¶ 251.

<sup>52</sup> Verizon is making available services for resale under interconnection agreements and tariffs. See Lacouture/Ruesterholz Decl. ¶ 386. The PUC established the following wholesale discounts: 17.87 percent for residential lines and 14.26 percent for business lines, for lines with Verizon's Operator Services and Directory Assistance; and 18.82 percent for residential lines and 16.38 percent for business lines, for lines without these features. See id. ¶ 387.

<sup>53</sup> Verizon also provides CLECs with billing details for calls and service usage made by their resale customers. See Lacouture/Ruesterholz Decl. ¶ 394.

troubles, Verizon repairs them in a timely and nondiscriminatory manner. See id. ¶¶ 411-412, 414.

Although the Rhode Island PUC identified issues with respect to Verizon's resale performance under the average completed interval measurement, as noted above, CLECs and the New York PSC have agreed to eliminate this measurement. See id. ¶ 400. Moreover, the Rhode Island PUC found with respect to resale that, "taken in totality, all the evidence presented in the docket indicates . . . that the market is open to competition." See Nov. 15th Open Meeting at 54.

Resellers in Rhode Island may resell any of Verizon's customer-specific pricing arrangements ("CSPs") to any customer (or customers) that meet the terms and conditions of that particular arrangement. See Lacouture/Ruesterholz Decl. ¶ 390. While a customer that elects to terminate its service with Verizon may be subject to reasonable and nondiscriminatory termination liabilities to the extent they were part of the original terms of the CSP agreed to by the customer, the Commission has held that this is not "unreasonable or discriminatory." New York Order ¶ 390; see Lacouture/Ruesterholz Decl. ¶ 391.

Moreover, Verizon offers for resale at a wholesale discount those DSL services that are subject to a discount under the Commission's rules. See Lacouture/Ruesterholz Decl. ¶ 416. Verizon makes available in Rhode Island (and Massachusetts) the same "DSL Over Resold Lines" service that Verizon provides in Pennsylvania and Connecticut, see id., where the Commission found that Verizon's offering satisfies the requirements of the Act, see Pennsylvania Order ¶ 95; Connecticut Order ¶ 27.<sup>54</sup> Verizon uses the same checklist-compliant

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<sup>54</sup> CLECs that choose to may order DSL for resale in the same way, and using the same interfaces, that Verizon's ISP customers do. See McLean/Wierzbicki Decl. Att. 2; Joint Application by SBC Communications Inc., et al., Pursuant to Section 271 of the Telecommunications Act of 1996 To Provide In-Region, InterLATA Services in Arkansas and Missouri, Memorandum Opinion and Order ¶¶ 80, 82, CC Docket No. 01-194, FCC 01-338 (rel.

processes and procedures to provide this new service as it uses in Pennsylvania, except that, in Rhode Island, Verizon has not placed any limits on the number of orders that Verizon will commit to process each day. See Lacouture/Ruesterholz Decl. ¶ 416. And based on experience in Connecticut (where there have been no orders) and Pennsylvania (where there have been no non-trial orders), Verizon will be able to handle whatever limited demand can reasonably be expected to emerge for this new service. See id. ¶ 417.

**L. Operations Support Systems.**

Verizon provides CLECs operating in Rhode Island with access to various checklist items through the same operations support systems and common interfaces serving Massachusetts and the other New England states (Maine, New Hampshire, and Vermont). See McLean/Wierzbicki Decl. ¶ 5. As the Commission has found, these systems are in place, fully operational, handling commercial volumes, and satisfy the requirements of the Act in all respects. See Massachusetts Order ¶¶ 50, 70, 90, 95, 97, 102, 114; see also Kansas/Oklahoma Order ¶ 111 (finding that two different states may “share the use of a single OSS . . . : a common set of processes, business rules, interfaces, systems”).

As described above, Verizon has always provided service in Rhode Island using the Massachusetts OSS. For example, Verizon provides CLECs in Rhode Island with access to the same interfaces, gateway systems, and underlying OSS used in Massachusetts for pre-ordering, ordering, provisioning, maintenance and repair, and billing. See McLean/Wierzbicki Decl. ¶¶ 11-13. Verizon provisions orders for CLECs in Rhode Island using the same processes and procedures — and from the same work centers — as in Massachusetts. See id. ¶¶ 13, 22. Verizon also provides competing carriers in Rhode Island and Massachusetts with the exact same

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Nov. 16, 2001) (“Arkansas/Missouri Order”).

technical support, including the exact same change management process, to help them use Verizon's OSS. See id. ¶¶ 7, 115.

As the Commission has found, these systems already were subject to an "independent, third-party test" that was "broad in scope," employed a "military-style test standard," and provides "persuasive evidence of Verizon's OSS readiness." Massachusetts Order ¶¶ 44-46. They also were subject to an exhaustive examination by the Massachusetts Department of Telecommunications and Energy ("DTE"), which concluded that Verizon's systems comply fully with the checklist. See id. ¶ 8. And, of course, this Commission reached the very same conclusion. See id. ¶¶ 50, 70, 90, 95, 97, 102, 114.

This conclusion is as obviously correct today as it was seven months ago. As was the case at the time of the Massachusetts application, Verizon's systems are successfully handling large commercial volumes. For example, Verizon's pre-ordering systems handled an average of nearly 2.5 million transactions per month across the former Bell Atlantic footprint in the first nine months of this year. See McLean/Wierzbicki Decl. ¶ 41; compare New York Order ¶ 150 (average of 185,000 pre-order transactions per month from January through July 1999). Verizon's ordering systems processed more than 5 million orders in the first nine months of this year in New England and New York, including more than 110,000 in Rhode Island alone. See McLean/Wierzbicki Decl. ¶ 58. Moreover, both KPMG and PwC have concluded that Verizon's systems in Rhode Island are the same as those used in Massachusetts. See KPMG RI Report at 13; PwC Declaration ¶ 16; see also Kansas/Oklahoma Order ¶¶ 3, 107 n.303 (relying on "sameness" test in Kansas and Oklahoma that found the OSS in those states comparable to those in Texas, where the Commission found section 271 met).

Acting under the auspices of the Rhode Island PUC, KPMG performed a “sameness” test that compared all of Verizon’s systems, interfaces, and processes in Rhode Island with those in Massachusetts. See McLean/Wierzbicki Decl. ¶¶ 16-20. KPMG evaluated 837 different areas, across each of the main areas that it previously tested in Massachusetts: Pre-ordering, Ordering, Provisioning, Maintenance and Repair, and Billing and Relationship Management. See id. ¶¶ 16, 20. KPMG also compared Verizon’s performance-measurement reporting in Rhode Island and Massachusetts. See Guerard/Canny/Abesamis Decl. ¶ 76. KPMG used two different kinds of tests: operational sameness tests and transaction-driven tests. See McLean/Wierzbicki Decl. ¶ 17. The operational sameness tests evaluated whether policies, procedures, guidelines, training, documentation, and work center activities were the same in Rhode Island and Massachusetts. See id. ¶¶ 17-18. KPMG found a “material difference” between the Rhode Island and Massachusetts processes “[o]nly in a single area” — Metrics Change Management — where the “observed differences reflected enhancements to the process evaluated during the Massachusetts test.” KPMG RI Report at 13; see also McLean/Wierzbicki Decl. ¶ 18; Guerard/Canny/Abesamis Decl. ¶ 76. For the transaction tests, KPMG acted as a CLEC and submitted various transactions through Verizon’s OSS to ensure that the Rhode Island systems performed at the same high level as the Massachusetts systems. See McLean/Wierzbicki Decl. ¶ 19. Based on these tests, KPMG found “a high-degree of sameness between the operating elements in Massachusetts and Rhode Island,” and that most evaluation measures showed “the results to be the same as those of the Massachusetts test.” KPMG RI Report at 13; McLean/Wierzbicki Decl. ¶¶ 16, 19. And where KPMG did identify a difference between Rhode

Island and Massachusetts, the Rhode Island results were in most cases superior to the Massachusetts results. See McLean/Wierzbicki Decl. ¶ 19.<sup>55</sup>

Verizon also engaged PwC to perform an attestation audit to verify that Verizon's systems, processes, and procedures in Massachusetts are the same as those used in Rhode Island and the other New England states. See McLean/Wierzbicki Decl. ¶ 22; PwC Declaration ¶ 16. PwC verified that there is one unique set of software coding and configuration installed on one or more computer servers that support all states in the New England region, and that the personnel and work centers throughout New England use the same processes. See McLean/Wierzbicki Decl. ¶ 22; PwC Declaration ¶ 16. PwC also confirmed that the data Verizon uses in its performance measurement calculations are consistent across the New England states, and that the processes and procedures used to calculate these measurements are the same. See Guerard/Canny/Abesamis Decl. ¶ 78; PwC Declaration ¶ 16.

In addition to evaluating whether Verizon's systems in Rhode Island and Massachusetts are the same, KPMG also conducted stand-alone testing in Rhode Island on three areas that were not included in the Massachusetts test — Line Sharing, Line Loss Reports, and Electronic Jeopardies. Verizon received a "satisfied" rating on the first two of these three areas, and an "inconclusive" rating on the third because, given that Verizon provisions more than 98 percent of its orders on time in Rhode Island, KPMG could not identify enough orders that were in jeopardy to obtain a statistically valid sample. See McLean/Wierzbicki Decl. ¶ 21; Hearing in re: Review of Verizon-Rhode Island Section 271 Filing in Compliance with Telecommunications Act of

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<sup>55</sup> There were only three cases where the Rhode Island results were not clearly superior to those in Massachusetts, but in these cases KPMG concluded that "the Rhode Island results would have satisfied the criterion in a stand-alone test," because the performance on the Rhode Island transactions alone met the standards set by KPMG to assign a Satisfied rating. KPMG RI Report at 13; see McLean/Wierzbicki Decl. ¶ 19.

1996, Docket No. 3363, Tr. at 40 (Oct. 9, 2001) (App. B, Tab 10) (Ray Sears, KPMG: “there’s not a huge number of orders, and the vast majority of those are provisioned on time, so the opportunity to see a jeopardy notice is very limited”).

Finally, Verizon has continued to update its systems since the Massachusetts proceeding. For example, while Verizon continues to offer CLECs in Rhode Island and Massachusetts one of the versions of the application-to-application pre-ordering and ordering interfaces that it offered in Massachusetts when its application for that state was approved, it now offers CLECs in both states the option of using updated versions of those interfaces that are based on newer versions of industry standards. See McLean/Wierzbicki Decl. ¶¶ 27-28. Moreover, as described below, Verizon has implemented new capabilities in its systems, including a long-term mechanism for CLECs to obtain electronic access to the limited loop make-up information available in Verizon’s Loop Facility Assignment and Control System (“LFACS”) and a system for ordering line splitting.

# **1. Pre-Ordering.**

Verizon provides CLECs in Rhode Island with the same three electronic pre-ordering interfaces that it does in Massachusetts. The first is a Web-based Graphical User Interface (“Web GUI”) that can be used with a personal computer. See McLean/Wierzbicki Decl. ¶¶ 26, 35. The second is an application-to-application interface based on the industry standard Electronic Data Interchange (“EDI”) protocol. See id. ¶ 26. Verizon currently offers two industry-standard versions of the Local Service Ordering Guidelines (“LSOG”) for each of the pre-ordering interfaces: LSOG 4 and LSOG 5. LSOG 4 was in place in Massachusetts, Connecticut, and Pennsylvania when the Commission approved Verizon’s applications for those states; LSOG 5 is the latest adopted version of these standards and guidelines. See id. ¶¶ 27-

28.<sup>56</sup> The third is another application-to-application interface known as Common Object Request Broker Architecture (“CORBA”). See id. ¶¶ 26, 32. CLECs are using all three interfaces to submit pre-ordering transactions in Rhode Island. See id. ¶ 26.<sup>57</sup>

Verizon’s pre-ordering interfaces already handle large commercial volumes. For example, in 2000, Verizon processed more than 13.1 million pre-ordering transactions across the former Bell Atlantic footprint. See McLean/Wierzbicki Decl. ¶ 41. Verizon processed an even greater number of transactions in just the first six months of 2001 alone, and in the first nine months of this year Verizon processed more than 22 million pre-ordering transactions, including more than 230,000 in Rhode Island. See id.

Even at these large and increasing volumes, the performance of Verizon’s pre-ordering systems has remained excellent. From July through September 2001, Verizon met the response-time standards for all types of pre-ordering transactions, including the separate standards for providing “parsed” Customer Service Records. See id. ¶ 42; Guerard/Canny/Abesamis Decl. Att. 1 (PO-1); Massachusetts Order ¶ 53 & n.155. Moreover, Verizon’s EDI and CORBA pre-

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<sup>56</sup> As with prior versions, Verizon implemented this new standard pursuant to the Change Management Process originally developed in New York and now applied throughout the former Bell Atlantic region. This process incorporated input from CLECs and enabled them to test the release before it was implemented in production. See McLean/Wierzbicki Decl. ¶¶ 29-30. Because Verizon supports two versions of a pre-ordering interface, as specified in the Change Management Process, CLECs can make the transition to new versions on a schedule that is convenient for them. See id. ¶ 31. Verizon is retiring LSOG 3/EDI 9 (earlier versions of these industry guidelines) using the phased cut-over approach, which allows transactions in the “old” format to be submitted up to 30 days after implementation of the “new” format. After that 30 days has elapsed, CLECs using the retired version of EDI will have had 20 months since the March 2000 introduction of LSOG 4/EDI 10 to migrate to a newer version of the interface. See id. ¶¶ 30-31.

<sup>57</sup> CLECs can integrate Verizon’s pre-ordering EDI and CORBA interfaces with their own back-end systems and with Verizon’s EDI ordering interface. See McLean/Wierzbicki Decl. ¶ 34; Massachusetts Order ¶ 52; New York Order ¶¶ 137-138. Because CLECs in Rhode Island use the same interfaces as in Massachusetts, the Massachusetts performance results apply equally to Rhode Island.

ordering interfaces met the 99.5-percent availability standard during that same period, and Verizon's Web GUI interface met the standard in July and August. See McLean/Wierzbicki Decl. ¶ 38; Guerard/Canny/Abesamis Decl. Att. 1 (PO-2-02); Massachusetts Order ¶ 53 & n.154.<sup>58</sup>

## 2. Ordering.

Verizon provides CLECs serving end users in Rhode Island with the same two electronic ordering interfaces that it provides in Massachusetts, both of which are currently used by Rhode Island CLECs. See McLean/Wierzbicki Decl. ¶¶ 50-51. The first is the same Web GUI that is available for pre-ordering. See id. ¶ 51; Massachusetts Order ¶ 74. The second is an EDI ordering interface. See McLean/Wierzbicki Decl. ¶ 51; Massachusetts Order ¶ 74. Like the pre-ordering EDI interface, the ordering EDI interface is available in two versions: LSOG 4 (which was in place when Verizon's Massachusetts, Connecticut, and Pennsylvania applications were approved) and LSOG 5 (which is based on the latest standards). See McLean/Wierzbicki Decl. ¶¶ 52-53. The Commission has found that Verizon's ordering interfaces satisfy the requirements of section 271. See Massachusetts Order ¶ 70; see also New York Order ¶ 159.

Verizon's ordering interfaces are handling commercial volumes. In 2000, Verizon processed more than 95,000 local service requests ("LSRs") in Rhode Island, nearly 826,000 in New England as a whole, and approximately 5.7 million in New England and New York

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<sup>58</sup> In September, Verizon's Web GUI fell slightly below the standard — to approximately 98-percent availability — due to corrective actions taken by Verizon to address slow response conditions and outages resulting from inappropriate use of the Web GUI by certain CLECs. See McLean/Wierzbicki Decl. ¶ 39. In particular, a number of CLECs were using Verizon's Web GUI database to store their old transactions — as many as 6 million at one point — rather than deleting them after a transaction was complete, and despite requests from Verizon that they do so. See id. To alleviate the slow response conditions and outages resulting from these excess transactions in Verizon's systems, Verizon purged its systems of old transactions, after first giving CLECs nearly three weeks' notice; however, the process of performing this purge also made Verizon's interface unavailable for an additional period of time. See id. ¶ 40.

combined. See McLean/Wierzbicki Decl. ¶ 58. Verizon is on track to process an even greater number of orders this year. In the first nine months of 2001, Verizon has processed more than 110,000 LSRs in Rhode Island, more than 890,000 in New England, and more than 5 million in New England and New York. See id. The volume of LSRs in Rhode Island during the first nine months of this year was nearly 60 percent greater than it was during the same period in 2000.

See id.<sup>59</sup>

Even at these large and increasing volumes, Verizon performs the various ordering functions on a timely basis. From July through September 2001, Verizon's on-time performance for returning confirmation, reject, and completion notifiers generally exceeded the 95-percent benchmark for both UNE and resale orders, and across almost all order-type subcategories. See McLean/Wierzbicki Decl. ¶¶ 72-73. These are the same "strict benchmark standards" that apply to Verizon's performance in Massachusetts and New York. New York Order ¶¶ 164, 180; see Massachusetts Order ¶ 71. Verizon also processes orders accurately, as evidenced by its performance on the Service Order Accuracy measurements. From July through September, Verizon's order accuracy performance exceeded 95 percent for most measurements, and for all measurements its performance was above 90 percent. See McLean/Wierzbicki Decl. ¶ 74. These results are better than, or comparable to, Verizon's results in Massachusetts and Pennsylvania at the time the Commission approved Verizon's applications in those states. See Massachusetts Order ¶ 81 & n.251; Pennsylvania Order ¶ 49 & n.190; see also New York Order

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<sup>59</sup> As part of its OSS test in Massachusetts, KPMG also tested Verizon's ability to process normal, peak, and stress order volumes, and found that Verizon satisfied all of the test criteria. See McLean/Wierzbicki Decl. ¶ 58; Massachusetts Order ¶ 81. In its Rhode Island test, KPMG confirmed that Verizon uses the same processes and procedures for capacity management in Rhode Island and Massachusetts. See KPMG RI Report at 233-37.

¶¶ 173-174 (recognizing that these measurements understate Verizon's performance); McLean/Wierzbicki Decl. ¶ 74.

Verizon's OSS also are capable of "flowing through" a large percentage of CLEC orders. Indeed, Verizon's total flow-through results are even better today than they were at the time of Verizon's Massachusetts application. See Guerard/Canny/Abesamis Decl. Att. 1 (OR 5-01); Massachusetts Order ¶ 78. Moreover, Verizon also satisfied the 95-percent benchmark for "achieved" flow through in August and September, and missed by less than two percentage points in July. See McLean/Wierzbicki Decl. ¶ 64; Guerard/Canny/Abesamis Decl. Att. 1 (OR 5-03); Massachusetts Order ¶ 78.<sup>60</sup> As in Massachusetts, the total flow-through rates continue to vary by carrier, demonstrating that Verizon's systems are significantly better than the aggregated results suggest on their face. See McLean/Wierzbicki Decl. ¶¶ 65-66; Massachusetts Order ¶ 78; New York Order ¶ 166. And, as the Commission has recognized, the "conclusion that Verizon's systems are capable of achieving high overall levels of order flow-through is reinforced by KPMG's testing," in which KPMG "achieved a flow-through rate of 100 percent." Massachusetts Order ¶ 78.

Finally, Verizon's performance in returning order status notifiers to CLECs is strong. From July through September 2001, Verizon consistently exceeded the 95-percent benchmark for returning provisioning and billing completion notifiers on time. See McLean/Wierzbicki Decl. ¶ 85; Massachusetts Order ¶ 84. Verizon also has two methods for informing CLECs of

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<sup>60</sup> The Achieved Flow Through measurements track the percentage of orders that are capable of flowing through that actually do flow through. See Guerard/Canny/Abesamis Decl. ¶ 44. This measurement was under development at the time Verizon filed its Massachusetts application and was first reported in Massachusetts in January 2001, where Verizon reported achieved flow through of 79.20 percent for resale orders and 71.13 percent for UNE orders. See Joint Supplemental Reply Declaration of Paul A. Lacouture and Virginia P. Rueterholz, Verizon Massachusetts II Application (App. A, Tab B), CC Docket No. 01-9 (FCC filed Feb. 28, 2001).

orders that are in jeopardy, which are the same methods that it provided at the time the Commission approved Verizon's Massachusetts application. See McLean/Wierzbicki Decl. ¶¶ 76, 81; Massachusetts Order ¶ 85.<sup>61</sup>

### **3. Provisioning.**

Verizon provisions CLEC orders in Rhode Island on a nondiscriminatory basis using the same systems and processes as in Massachusetts. See McLean/Wierzbicki Decl. ¶¶ 86-87. As in the other states for which Verizon has received section 271 authorization, there are no separate provisioning interfaces because provisioning is essentially internal to Verizon once an order is submitted. See id. ¶ 86. Indeed, the systems and processes for most CLEC orders are the same as those used to provision Verizon's retail orders. See id. ¶ 88. As the Commission has concluded, these systems "provide[] parity in provisioning competitors' orders as compared to [Verizon's] retail orders." Massachusetts Order ¶ 90; see also New York Order ¶¶ 193, 197.

### **4. Maintenance and Repair.**

Verizon provides CLECs in Rhode Island with access to the same two maintenance and repair interfaces that it provides in Massachusetts, Connecticut, and Pennsylvania: the Web GUI and an electronic bonding interface. See McLean/Wierzbicki Decl. ¶ 90. The Web GUI provides "a requesting carrier . . . access [to] all the same functions that are available to [Verizon's] retail representatives." New York Order ¶ 213. The Electronic Bonding Interface ("EBI") is an application-to-application interface that allows CLECs to connect directly to Verizon's maintenance and repair OSS. See McLean/Wierzbicki Decl. ¶ 90. As the

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<sup>61</sup> As part of its OSS test in Rhode Island, KPMG conducted a stand alone test of Verizon's electronic jeopardy process. See McLean/Wierzbicki Decl. ¶ 82. Although KPMG attempted to assess this system through two different tests, the fact that "Verizon provisioned over 95% of the orders examined on the confirmed due date" resulted in the existence of "an insufficient number of cases in which a jeopardy notice would have been expected . . . to draw a conclusion." KPMG RI Report at 29; McLean/Wierzbicki Decl. ¶ 82.

Commission found in Massachusetts, these interfaces “flow directly into Verizon’s back-end OSS and enable competing carriers to perform the same functions, in the same manner, as Verizon’s retail operations.” Massachusetts Order ¶ 95. There currently is one CLEC in Rhode Island that has implemented the EBI, and more than 15 CLECs that are using the Web GUI for maintenance and repair. See McLean/Wierzbicki Decl. ¶ 91.

Competing carriers in Rhode Island already use Verizon’s maintenance and repair interfaces in commercially significant volumes. For example, from July through September 2001, CLECs used RETAS — the maintenance and repair system accessed by the Web GUI — to perform more than 140,000 maintenance and repair transactions per month across the former Bell Atlantic footprint, including approximately 330 maintenance transactions per month in Rhode Island. See id. ¶¶ 92, 99.

Verizon’s maintenance and repair systems also process trouble reports from CLECs in substantially the same time and manner as Verizon processes reports for its own retail customers. From July through September, Verizon consistently exceeded the established standards for responding to all types of maintenance and repair requests that CLECs submitted using the Web GUI. See id. ¶ 100; see also Massachusetts Order ¶ 96 (relying on comparable or lesser performance); New York Order ¶ 219 (same). Moreover, as the Commission found, KPMG’s test in Massachusetts “confirms the satisfactory performance demonstrated by Verizon’s performance data.” Massachusetts Order ¶ 95. And because the Rhode Island and Massachusetts systems are the same, the same conclusion applies here as well. See McLean/Wierzbicki Decl. ¶ 90.

## **5. Billing.**

Verizon uses the Massachusetts systems to generate billing information in Rhode Island. See id. ¶ 102. These are the same systems that Verizon uses for its own retail operations in both